UNITED STATES DISTRICT COURT

Eastern District of Michigan

ODDED OF DETENTION DENDING TOTAL

UNITED STATES OF AMERICA

	v .	ORDER OF DETENTION LENDING TRIAL
	Fernando Ford	Case Number: 10-30272
-	Defendant	
	ion of the defendant pending trial in this	U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the ase.
		Part I—Findings of Fact
<u> </u>	or local offense that would have been a crime of violence as defined in an offense for which the maximum	ase described in 18 U.S.C. § 3142(f)(1) and has been convicted of a federal offense state a federal offense if a circumstance giving rise to federal jurisdiction had existed - that is 8 U.S.C. § 3156(a)(4). In sentence is life imprisonment or death. Item of imprisonment of ten years or more is prescribed in
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	a felony that was committed after § 3142(f)(1)(A)-(C), or comparate	the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C.
	2) The offense described in finding (1) v	as committed while the defendant was on release pending trial for a federal, state or local offense. as elapsed since the date of conviction release of the defendant from imprisonment
□ (4	Findings Nos. (1), (2) and (3) establis	a rebuttable presumption that no condition or combination of conditions will reasonably assure the ommunity. I further find that the defendant has not rebutted this presumption.
		Alternative Findings (A)
□ (1		the defendant has committed an offense
	under 18 U.S.C. § 924(c).	prisonment of ten years or more is prescribed in
□ (2	2) The defendant has not rebutted the pre	umption established by finding 1 that no condition or combination of conditions will reasonably assured and the safety of the community.
,		Alternative Findings (B)
	There is a serious risk that the defend	nt will not appear. nt will endanger the safety of another person or the community.
	Par	II—Written Statement of Reasons for Detention
	find that the credible testimony and inforce of the evidence that	nation submitted at the hearing establishes by clear and convincing evidence a prepon-
is a lit Manu Which life if	fetime resident of Detroit, has two ch ufacturing in Detroit. His prior work hi	from his wife who resides alone in a rented room on Nardin Park in the City of Detroit. He dren and three siblings and is employed in an hourly capacity (\$11 per hour) at Milton story is sketchy. He is charged by Complaint with being a Felon in Possession of a Firearm e Commerce. Because he qualifies for a sentencing enhancement, he faces 15 years to
		Part III—Directions Regarding Detention
to the reason: Govern	extent practicable, from persons awaitin able opportunity for private consultation	The Attorney General or his designated representative for confinement in a corrections facility separate, g or serving sentences or being held in custody pending appeal. The defendant shall be afforded a with defense counsel. On order of a court of the United States or on request of an attorney for the ions facility shall deliver the defendant to the United States marshal for the purpose of an appearance
	July 8, 2010	s/ Mona K. Majzoub
	Date	Signature of Judge
		MONA K. MAJZOUB - UNITED STATES MAGISTRATE JUDGE

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

Name and Title of Judge

Defendant has a severe life long alcohol problem for which his wife states he needs help. Nothing in the information available to the court reflects that he has ever sought help for his alcohol addiction.

Defendant's criminal history is long and reflects a pattern of continuing violence using weapons. On May 31,1979 he was found guilty of Felony Armed Robbery and was sentenced to three years six months to ten years custody. He was discharged from parole on 4/08/87.

On 9/5/79 Defendant was found guilty of Manslaughter involving a weapon and was sentenced to three to fifteen years custody. He was discharged from parole on 10/30/92.

On 7/28/84 Defendant was found guilty of Burglary and Other Forced Entry and was sentenced to one year six months to fifteen years.

On 7/28/96 Defendant was found guilty of Assault With a Dangerous Weapon and Domestic Violence. He was sentenced to three years probation.

On 4/26/01 Defendant was found guilty of Home Invasion and Domestic Violence and was sentenced to one year custody.

On 4/27/01 Defendant was arraigned for Violation of Probation and was sentenced to one year custody.

On 2/26/08 Defendant failed to appear for a traffic offense in state court.

Defendant was involved in an automobile accident on June 21, 2010 at Rosa Parks and Michigan Avenue in the City of Detroit. Defendant was driving a 1995 Lincoln and when the officers arrived to investigate the accident they were told by the driver of the other car that Defendant had a handgun in his waistband that she saw him place in the trunk of his car. Defendant Ford admitted, upon being questioned by the officer, that he did place his handgun in the trunk of his Lincoln. The gun was recovered by the officer and was found to be a .45 cal, Norinco, Model 1911A1, Serial number 531290. Defendant was arrested for carrying a concealed weapon.

Defendant's wife stated that if he were released on bond that Defendant could reside with her at her house ONLY on the condition that he cease drinking alcohol. Defendant is a danger to himself and others because of his alcohol addiction, and this court could not in good conscience release him to life with his wife knowing his past history for repeated acts of domestic violence, weapons offenses, and other violent criminal behaviors. Defendant's alcohol addiction impedes his ability to use good judgment and follow the orders of the Court and to conduct himself lawfully. He faces a 15 year minimum, and he has a history of failing to appear in court. He has violated his probation in the past. Defendant is a danger to himself and others, and he is a risk of flight. This Court agrees with the assessment and conclusion of the Pretrial Services Officer that there is no condition or combination of conditions that would guarantee Defendant's appearance in Court or the safety of the community and therefore Detention is Ordered.